

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

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November 30, 2004

FROM: PATRICK J. MEAD, Director
 Department of Public Works - **Flood Control**

SUBJECT: EXCHANGE OF DRAINAGE EASEMENT RIGHTS IN THE CITY OF HESPERIA

RECOMMENDATION: Acting as the governing body of the Flood Control District (District):

1. Adopt Resolution # 04- ____ declaring that the exchange of the District's Drainage Easement across Lot 89, Tract 5246 in the City of Hesperia for a replacement drainage easement is in the best interest of the District.
2. Authorize execution of quitclaim deed, which quitclaims the District's rights to that drainage easement across Lot 89 Tract 5246 granted to the District by the recordation of said Tract 5246 to the underlying fee owner Curtis Fletcher in exchange for a replacement easement.

BACKGROUND INFORMATION: Tract 5246 was recorded in April 1956. Upon recordation of said Tract, the District was granted various drainage easements, one of which encumbers a portion of Lot 89 of said Tract. The owner of Lot 89, Curtis Fletcher has requested that the District accept an exchange of easement rights to relocate the drainage easement to the location of a natural drainage course that runs through the property. The owner has submitted a drainage study and contour map, prepared by a registered civil engineer, verifying that the natural water course does not flow within the existing drainage easement. The owner will grant an exchange easement at the location of the natural water course. The relocation of the drainage easement will allow for the lot to be split and two private residences constructed on it while still controlling the drainage. Real Estate Services personnel have reviewed the exchange and agreed that the exchanged easements are of substantially the same value.

REVIEW AND APPROVAL BY OTHERS: This item has been reviewed by Deputy County Counsel Charles S. Scolastico (387-5481) on November 16, 2004, by Real Estate Services (A. Louis Schnepp, Real Property Manager, 387-7839) on November 16, 2004 and the County Administrative Office (Tom Forster, Administrative Analyst, 387-4635) on November 17, 2004.

FINANCIAL IMPACT: There are no anticipated costs to the District due to this transaction

SUPERVISORIAL DISTRICT(S): 1st

PRESENTER: Patrick J. Mead, 387-7906

Record of Action of the Board of Supervisors

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